

### REMARKS/ARGUMENTS

The application now contains claims 1-10 and 21 -30. Claims 11-20 are withdrawn from consideration. Claims 21-30 are new claims. Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,796,932 to Tame (hereinafter "Tame"). Claims 4 and 8 were objected to for informalities. Claims 4 and 8 have been amended. Claims 7 and 8 are objected to as being dependent on a rejected base claim, but are indicated as being allowable if rewritten. Claims 9 and 10 are indicated as being allowable if claim 8 is rewritten. Applicants acknowledge with appreciation the Examiner's indication of allowable subject matter in claims 7-10.

Applicant affirms the provisional election of claims 1-10 made by David Lockman on December 3, 2004. Claims 11-20 were withdrawn from consideration by the Examiner. Claims 11-20 have been cancelled in response to the restriction requirement.

The specification has been amended to provide the application serial number of the cross-referenced application.

Claims 4 and 8 were objected to by the Examiner and have been amended in a non-narrowing fashion as suggested by the Examiner.

#### **I. Claim 1 is not rendered obvious by Tame**

The Examiner rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Tame. Tame does not teach, suggest or disclose all of the elements and limitations of claim 1.

### The Present Invention

The present invention comprises an oven door lock mechanism for use with an oven having a door and a frame configured so that the door is adjacent the frame when the door is closed. The lock mechanism comprises a latch, an actuator pin, a motor and a cam. The latch is supported above and coupled to the frame to rotate about a pivot axis and is rotatable between an unlatched and latched position. The latch includes a follower surface offset from the pivot axis and a latching member extending beyond the frame for interacting with the door. The actuator pin is movably supported by the frame. The actuator pin has an outer end extending beyond the frame for engaging the oven door upon closure and a cam end engaging the follower surface of the latch for rotating the latch into the latched position wherein the door is adapted to be captured by the latch. The motor drives a shaft when actuated. The cam is mounted to the shaft for rotation thereabout. The cam is rotatable between a non-blocked position and a blocked position wherein the cam blocks movement of the latch from the latched position to the unlatched position. Movement of the cam between the non-blocked position and the blocked position is accomplished by rotation of the cam by 60 degrees.

### Tame

Tame relates to a remote compartment lock for an automobile storage compartment. The lock mechanism in Tame includes a latch biased in the latched position by torsion spring 92. The latch is urged to an unlatched position by engagement with a striker bar 16 mounted to the door of the storage compartment. The latch is returned to the latched position because of the bias of torsion spring 92. The Examiner

recognized that Tame does not disclose an actuator pin mounted to the frame, but relies upon the striker bar (16) mounted to the door as satisfying the claim limitations the recited actuator pin.

Discussion Re: Patentability of Claim 1

**1. Claim 1**

Claim 1 was rejected under 35 U.S.C. § 103(a) as being rendered obvious by Tame. Claim 1 recites:

**An oven door lock mechanism** for use with an oven having a door and a frame configured so that the door is adjacent the frame when the door is closed, the lock mechanism comprising:

a latch supported above and coupled to the frame to rotate about a pivot axis and rotatable between an unlatched and latched position, **the latch including a follower surface** offset from the pivot axis and a latching member extending beyond the frame for interacting with the door;

an actuator pin movably supported by the frame, the actuator pin having an outer end extending beyond the frame for engaging the oven door upon closure and **a cam end engaging the follower surface of the latch for rotating the latch into the latched position** wherein the door is adapted to be captured by the latch;

a motor driving a shaft when actuated;

a cam mounted to the shaft for rotation thereabout, the cam being rotatable between a non-blocked position and a blocked position wherein the cam blocks movement of the latch from the latched position to the unlatched position and wherein movement of the cam between the non-blocked position and the blocked position is accomplished by rotation of the cam by 60 degrees.

Thus, claim 1 requires that the actuator pin engage the follower surface of the latch for moving the latch from the unlatched position to the latched position.

**2. Tame does not disclose an actuator pin engaging a follower surface of the latch for moving the from the unlatched position to the latched position**

The Examiner relies upon the latch striker bar 16 in Tame to satisfy the recitation of an actuator pin and the limitations of the recited actuator pin in claim 1. The latch striker bar 16 in Tame engages a slanted end of the latch and is moved longitudinally toward the pivot axis of the latch to induce the latch to rotate from a latched position, in which if the door were properly positioned, the latch would capture the door (compare the latch position in Fig. 4 and in solid lines in Fig. 5 for confirmation), to a position in which the latch would not capture the door (see the phantom line illustration of the latch in Fig. 5). The latch striker bar 16 engages the latch to rotate the latch from the latched position to an unlatched position. ("When the user desires to close compartment panel 14, it is shut against power unit 10, causing the latch striker bar 16 to contact the upper surface of latch hook 80, causing it to rotate out of alignment with latch lever 78 and engage the latch hook. Tame, col. 4, lines 12-116) The latch is returned from the unlatched position (phantom lines in Fig. 5) to the latched position (solid lines in Fig. 5) by the bias spring ("Torsion spring 92 engages latch lever 78 and latch hook 80 at tab 86 to bias them toward the aligned condition shown in Fig. 4." Tame, col. 3, lines 32-34) not by the cam end of the actuator pin engaging a follower surface of the latch and rotating the latch into the latched position as required by claim 1. Thus, even if the striker bar is considered an actuator pin and were repositioned as

suggested by the Examiner, the pin would not satisfy all of the elements and limitations of claim 1.

Additionally, the Examiner indicated that the follower surface of the latch was satisfied by the sensor lever 118 of limit switch 114. The sensor lever 118 is a separate component from the latch. Even if the striker bar 16 were considered an actuator pin and the sensor lever 118 were considered a follower surface of a latch, the striker bar 16 does not engage the sensor lever (follower surface) 118.

Tame, even when modified as suggested by the Examiner, does not render claim 1 obvious. Even when modified as suggested by the Examiner, Tame still fails to disclose all of the elements and limitations of claim 1. Additionally, it is questionable, whether the suggested modification to Tame would result in an operable lock mechanism.

For at least the foregoing reasons, it is respectfully submitted that the rejection of claim 1 as being rendered obvious by Tame has been successfully traversed, and the Applicants respectfully submit that the rejection of claim 1 under 35 U.S.C. § 103 should be withdrawn.

## **II. Claim 2-6 are not rendered obvious by Tame**

Claims 2-6 were rejected under 35 U.S.C. § 103(a) as being rendered obvious by Tame. All of claims 2-6, include limitations discussed above with respect to claim 1. MPEP § 2143.03 states that if an independent claim is non-obvious, then any claim depending therefrom is non-obvious.

Claims 2 and 3 depend directly from claim 1 and include all of the limitations of claim 1. Claims 4-6 depend indirectly from claim 1 and thus include all of

the limitations of claim 1. Therefore, claims 2-6 are patentable over Tame which does not contain all of the elements and limitations of claim 1 as discussed above.

For at least the foregoing reasons, it is respectfully submitted that the rejection of claims 2-6 as being rendered obvious by Tame has been successfully traversed, and the Applicants respectfully submit that the rejection of claims 2-6 under 35 U.S.C. § 103 should be withdrawn.

**III. The new claims are believed to be distinguishable over the prior art.**

New claims 21-30 are believed to be distinguishable over the prior art at least for the reasons stated above with regard to claims 1-10.

#### IV. Conclusion

In view of the Examiner's earlier restriction requirement, applicant cancelled claims 11-20 but retains the right to present claims 11-20 in a divisional application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

This response is submitted within the three-month deadline for response to the office action dated December 9, 2004, to and including March 9, 2005. Only twenty claims (three of which are independent) are pending in the application. Therefore, it is believed that no fee is due with this response. However, the Commissioner is authorized to grant any additional extensions that may be required and to deduct any associated fees for such extension or for additional claim fees from Deposit Account 13-0014.

Respectfully Submitted,



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